

Magistrate Judge S. Kate Vaughan

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff

v.

EVERETT J. HAYES,  
a/k/a EVERETT J. KENNEBREW,  
Defendant.

NO. MJ21-543

COMPLAINT FOR VIOLATION  
18 U.S.C. § 922(g)(1)

BEFORE the Honorable S. Kate Vaughan, United States Magistrate Judge, United States Courthouse, Seattle, Washington.

The undersigned complainant being duly sworn states:

**COUNT 1**

**(Felon in Possession of a Firearm)**

**[Vehicle]**

On or about July 20, 2021, in SeaTac, within the Western District of Washington, EVERETT JAMESLEE HAYES, knowing he had been convicted of the following crimes punishable by a term of imprisonment exceeding one year, namely:

1 *Domestic Violence Felony Violation of a Court Order*, under cause number 18-1-  
2 03277-2, dated on or about June 7, 2019, in King County Superior Court,  
3 Washington, under the alias EVERETT JAMES KENNEBREW;

4 *Unlawful Possession of a Firearm in the Second Degree and Assault in the Third*  
5 *Degree – Domestic Violence*, under cause number 15-1-01092-8, dated on or  
6 about July 17, 2015, in King County Superior Court, Washington, under the alias  
EVERETT JAMES KENNEBREW; and

7 *Robbery in the Second Degree and Felony Harassment*, under cause number 11-1-  
8 10661-2, dated on or about January 20, 2012, in King County Superior Court,  
9 Washington, under the alias EVERETT JAMES KENNEBREW;

10 did knowingly possess, in and affecting interstate and foreign commerce, a firearm, that  
11 is, a Taurus PT140Pro pistol in .40 caliber, which had been shipped and transported in  
12 interstate commerce.

13 All in violation of Title 18, United States Code, Section 922(g)(1).

## 14 **COUNT TWO**

### 15 **(Felon in Possession of Ammunition)**

#### 16 **[Person]**

17 On or about July 20, 2021, in SeaTac, within the Western District of Washington,  
18 EVERETT JAMESLEE HAYES, knowing he had been convicted of the following  
19 crimes punishable by a term of imprisonment exceeding one year, namely:

20 *Domestic Violence Felony Violation of a Court Order*, under cause number 18-1-  
21 03277-2, dated on or about June 7, 2019, in King County Superior Court,  
Washington, under the alias EVERETT JAMES KENNEBREW;

22 *Unlawful Possession of a Firearm in the Second Degree and Assault in the Third*  
23 *Degree – Domestic Violence*, under cause number 15-1-01092-8, dated on or  
24 about July 17, 2015, in King County Superior Court, Washington, under the alias  
EVERETT JAMES KENNEBREW; and

25 *Robbery in the Second Degree and Felony Harassment*, under cause number 11-1-  
26 10661-2, dated on or about January 20, 2012, in King County Superior Court,  
27 Washington, under the alias EVERETT JAMES KENNEBREW;  
28

1 did knowingly possess, in and affecting interstate and foreign commerce, two .40 caliber  
2 rounds of ammunition, which had been shipped and transported in interstate commerce.

3 All in violation of Title 18, United States Code, Section 922(g)(1).  
4

5 The undersigned complainant, Nathan Petrulak, being duly sworn, further deposes  
6 and states as follows:

7 **INTRODUCTION**

8 1. I am a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms,  
9 and Explosives (ATF) and have been so employed since March 6, 2018. I am an  
10 “investigative or law enforcement officer of the United States” within the meaning of  
11 Title 18, United States Code, Section 2510(7), that is, an officer of the United States who  
12 is empowered by law to conduct investigations of, and to make arrests for, offenses  
13 enumerated in Title 18, United States Code, Section 2516. I am currently assigned to the  
14 Seattle Field Division in Seattle, Washington where I am assigned to the Seattle I Field  
15 Office.

16 2. I received formal training in the Federal Law Enforcement Training Center  
17 in Glynco, Georgia, Criminal Investigators Training Program, which familiarized me  
18 with basic narcotic investigations, drug identification and detection, familiarization with  
19 United States narcotics laws, financial investigations and money laundering,  
20 identification and seizure of drug-related assets, organized crime investigations, physical  
21 and electronic surveillance, and undercover operations. In addition, I successfully  
22 completed a fifteen-week ATF Special Agent Basic Training course in Glynco, Georgia,  
23 which included comprehensive, formalized instruction in, among other things: firearms  
24 identification, firearms trafficking, arson and explosives, and tobacco and alcohol  
25 diversion. I am graduate of Point Park University where I received a Master’s in Business  
26 Administration in 2014. Additionally, I am a graduate of the University of Pittsburgh  
27 where I received a Bachelor of Science in Biological Sciences in 2010. As a result of my  
28 training, experience, and that of other more experienced investigators, I have an

1 understanding of the manner in which narcotics are distributed and various roles played  
 2 by individuals or groups involved in the distribution, along with unlawful use of firearms  
 3 during crimes of violence and/or drug trafficking and firearms trafficking.

4 3. As noted above, I am responsible for investigations involving specified  
 5 unlawful activities, to include violent crimes involving firearms that occur in the Western  
 6 District of Washington. I am also responsible for enforcing federal firearms and  
 7 explosives laws and related statutes in the Western District of Washington. I received  
 8 training on the proper investigative techniques for these violations, including the  
 9 identification of firearms and the location of the firearms' manufacture. I have actively  
 10 participated in investigations of criminal activity, including but not limited to crimes  
 11 against persons, crimes against property, narcotics-related crimes, and crimes involving  
 12 the possession and use, theft, or transfer of firearms. During these investigations, I have  
 13 also participated in the execution of search warrants and the seizure of evidence  
 14 indicating the commission of criminal violations.

15 4. The information in this complaint is based on my investigation, along with  
 16 investigation by other law enforcement officers, conversations with law enforcement  
 17 officers, and review of law enforcement documents.

18 5. Because this Complaint is submitted for the limited purpose of establishing  
 19 probable cause, it does not set forth each and every fact that I or others have learned  
 20 during the course of this investigation. I have set forth only the facts that I believe are  
 21 necessary to establish probable cause to believe that EVERETT JAMESLEE HAYES  
 22 committed the offenses charged, namely, being a felon in possession of a Taurus  
 23 PT140Pro pistol in .40 caliber and two .40 caliber rounds of ammunition, in violation of  
 24 Title 18, United States Code, Section 922(g)(1).

#### 25 **SUMMARY OF PROBABLE CAUSE**

##### 26 **A. EVERETT JAMESLEE HAYES's Criminal History**

27 6. I have reviewed court and law enforcement records related to EVERETT  
 28 JAMESLEE HAYES's criminal history. These records show HAYES has an active

1 protection order that prohibits him from possessing firearms, in addition to nine felony  
 2 convictions that include felony violation of a protection order, robbery in the second  
 3 degree, unlawful possession of a firearm in the second degree, harassment, theft in the  
 4 first degree, theft in the second degree, and residential burglary.

5 7. Specifically, HAYES has been convicted of the following crimes for which  
 6 he was sentenced to a term of imprisonment exceeding one year:

7 *Domestic Violence Felony Violation of a Court Order*, under cause number  
 8 18-1-03277-2, dated on or about June 7, 2019, in King County Superior  
 9 Court, Washington, under the alias EVERETT JAMES KENNEBREW;

10 *Unlawful Possession of a Firearm in the Second Degree and Assault in the*  
 11 *Third Degree – Domestic Violence*, under cause number 15-1-01092-8,  
 12 dated on or about July 17, 2015, in King County Superior Court,  
 Washington, under the alias EVERETT JAMES KENNEBREW; and

13 *Robbery in the Second Degree and Felony Harassment*, under cause  
 14 number 11-1-10661-2, dated on or about January 20, 2012, in King County  
 15 Superior Court, Washington, under the alias EVERETT JAMES  
 KENNEBREW.

16 **B. EVERETT JAMESLEE HAYES's Arrest**

17 8. On July 20, 2021, King County Sheriff's Office (KCSO) Sergeant Hamill,  
 18 supervisor of the SeaTac Street Crimes Unit conducted a community area check of the  
 19 Motel 6 parking lot located at 20651 Military Road South, SeaTac, Washington, and  
 20 encountered a male bleeding from his face. Sergeant Hamill saw a white SUV quickly  
 21 pull out of the parking stall driving over the curb and heading north towards the exit.  
 22 Based on the male's significant injury, the fact that the injured male had been looking at  
 23 the white SUV as it left, and the SUV's quick departure after driving over the curb,  
 24 Sergeant Hamill believed that this vehicle had some connection to male as well as the  
 25 significant injury Sergeant Hamill observed.

26 9. Sergeant Hamill followed the SUV out of the complex trying to identify its  
 27 license plate as well as its make and model. While he was following the SUV, it ran a red  
 28 light before taking the on-ramp to northbound Interstate 5. Sergeant Hamill eventually

1 caught up to the SUV and identified it as a Hyundai Tucson bearing California license  
2 #8PWL189.

3 10. KCSO Master Police Officer (MPO) Bugosh arrived in the area and  
4 Sergeant Hamill directed him to the Hyundai. MPO Bugosh began following the Hyundai  
5 as it pulled into the gas station on the northeast corner of South 200 Street and  
6 International Boulevard South, where MPO Bugosh conducted a traffic stop.

7 11. MPO Bugosh contacted the driver and only occupant who was later  
8 identified as EVERETT JAMESLEE HAYES. The driver's door opened as MPO Bugosh  
9 came to a stop behind the vehicle. HAYES immediately got out of the driver's seat, shut  
10 the door, and faced MPO Bugosh. This is not normal behavior for a subject being pulled  
11 over for a traffic violation. MPO Bugosh immediately noticed that HAYES's right pants  
12 pocket was inside-out, which was indicative of someone quickly removing an item from  
13 tight-fitting jeans. MPO Bugosh told HAYES to come to the front of the patrol car and sit  
14 on the front bumper, where MPO Bugosh frisked him for weapons, finding none.

15 12. HAYES was immediately defensive and wanted to know why he was  
16 "being detained." MPO Bugosh explained that a detective had watched an incident unfold  
17 at the Motel 6 and had seen him quickly leaving the scene. HAYES said he did not have  
18 any identification on him, and verbally identified himself to MPO Bugosh as EVERETT  
19 KENNEBREW. MPO Bugosh performed a record check of HAYES and confirmed his  
20 identity with a matching driver's license photo. HAYES's current Washington driver's  
21 license is in the name EVERETT JAMESLEE HAYES, although he previously had a  
22 driver's license issued in the name EVERETT J KENNEBREW. HAYES's driver's  
23 license status was suspended, and he was required to use an ignition interlock device  
24 when driving, which the Hyundai did not have.

25 13. MPO Bugosh arrested HAYES for driving with a suspended license and  
26 driving a vehicle without the required ignition interlock device. MPO Bugosh placed  
27 HAYES into handcuffs without incident and read him his Miranda Rights, which  
28

1 HAYES said he understood. The Hyundai Tucson SUV was secured by KCSO Sergeant  
2 Barden pending a search warrant.

3 14. During a search incident to arrest, MPO Bugosh seized two .40 caliber  
4 rounds of ammunition from HAYES's pants pocket. When MPO Bugosh removed the  
5 bullets, HAYES asked "Is that illegal?" Assuming he knew that it was for him, being a  
6 convicted felon, MPO Bugosh confirmed that it was illegal for him to possess those  
7 items. HAYES also had two cell phones and \$1,889.00 cash on his person.

8 15. At approximately 1525 hours MPO Bugosh spoke with "Angelina Clark"  
9 who said that she rented the vehicle but loaned it to HAYES to pick up his girlfriend and  
10 pay for a room at the motel. MPO Bugosh explained to Clark that her vehicle was taken  
11 pending a search warrant and that HAYES was in SCORE jail. Clark stated to MPO  
12 Bugosh that the vehicle was "empty" when she loaned it to HAYES.

13 **C. Search of Hyundai Tucson operated by HAYES**

14 16. KCSO Detective Kelley obtained a search warrant for the white Hyundai  
15 Tucson that HAYES had been driving. When Detective Kelley searched the Hyundai, he  
16 found a Taurus PT140Pro pistol in .40 caliber in the center console. The pistol had a  
17 loaded magazine and a spent shell casing in the chamber.

18 **D. Search of Hotel Room #231**

19 17. Sergeant Hamill returned to the motel and joined several Detectives and  
20 Deputies who were searching the area where Sergeant Hamill had last seen the injured  
21 male.

22 18. Detective Myklebust and Detective Ghrmai advised that blood had been  
23 located on the lower level and a trail had been followed up to room #231. Due to the  
24 amount of blood and the explanation of injury from Sergeant Hamill, Detective  
25 Myklebust and Detective Ghrmai located room #231, found the door to the room ajar,  
26 and entered the room to provide lifesaving efforts to anyone injured or unconscious  
27 inside. No one was located inside the room. While inside room #231, detectives noticed  
28 what appeared to be a bullet hole in the door of the room. Based on the damage,



1 detectives believe the bullet hole would have occurred from the inside of room #231. The  
2 room was secured by Detective Myklebust and Detective Ghrmai pending a search  
3 warrant. A request was put out to local hospitals for a possible victim who may have  
4 sought aid.

5 19. Detective Ghrmai contacted the neighboring unit to the south (#232) where  
6 Det Ghrmai contacted M.B. and S.B. M.B. informed Detective Ghrmai she heard a fight  
7 next door and could hear multiple males and a female arguing. M.B. heard what sounded  
8 like someone getting slammed into the wall. M.B. said she was returning from a trip  
9 when she said she heard the argument. S.B. advised Detective Ghrmai she was sleeping  
10 while M.B. was gone but awoke to what she thought was a gunshot. S.B. said she wasn't  
11 sure if it was a gunshot because the sound is what woke her up. She could hear an  
12 argument next door but no other gunshots. S.B. said she was scared and did not want to  
13 open the door to find out what was going on. S.B. and M.B. informed Detective Ghrmai  
14 they did not see anyone who was involved in the altercation; they could just hear it.

15 20. Deputy Bartolo and Deputy Brubaker reviewed video footage at the Motel  
16 6 and observed a subject who matched HAYES's description (white t-shirt, black/white  
17 pants, black hat, ponytail) exit room #231 shortly before Sergeant Hamill arrived at the  
18 motel.

19 21. After obtaining a search warrant, KCSO Detectives Kelly and Grotzky  
20 searched room #231 taking photographs and recovered biological evidence.

21 **E. Interstate Nexus Examination**

22 22. ATF Special Agent Brian Arnold is an interstate nexus expert who has  
23 received specialized training in identifying firearms and their place of manufacture. SA  
24 Arnold has examined photographs of the Taurus PT140Pro pistol in .40 caliber and of the  
25 two .40 caliber rounds of ammunition located in HAYES's pocket and determined that  
26 both the firearm and rounds of ammunition were manufactured outside the State of  
27 Washington. Therefore, the firearm and rounds of ammunition must have traveled in  
28 interstate or foreign commerce before being possessed in the state of Washington.



**CONCLUSION**

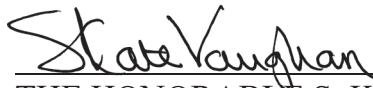
23. Based on the foregoing, I respectfully submit that there is probable cause to believe that EVERETT JAMESLEE HAYES committed the crimes of Felon in Possession of Firearm, in violation of Title 18, United States Code, Section 922(g)(1) and Felon in Possession of Ammunition, in violation of Title 18, United States Code, Section 922(g)(1).

**NATHAN  
PETRULAK**

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NATHAN PETRULAK, Complainant,  
Special Agent  
Bureau of Alcohol, Tobacco, Firearms,  
and Explosives

The above-named agent provided a sworn statement attesting to the truth of the contents of the foregoing affidavit on the 6th day of October, 2021. Based on the information contained in this affidavit, the Court hereby finds that there is probable cause to believe the Defendant committed the offense set forth in the Complaint.



THE HONORABLE S. KATE VAUGHAN  
United States Magistrate Judge